



In the
Indiana Supreme Court

IN THE MATTER OF THE)

APPROVAL OF LOCAL RULES)

FOR JACKSON COUNTY)

Case No. 36S00-1107 -MS-407

ORDER APPROVING AMENDED LOCAL RULES

The judges of the Jackson Circuit and Superior Courts request the approval of amended local rules for the appointment of special judges in accordance with Ind. Trial Rule 79 and Ind. Criminal Rule 2.2. Attached to this Order are the proposed amended local rules.

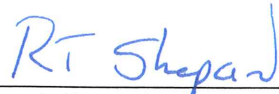
Upon examination of the proposed rule amendments requested by the Jackson Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR36-TR79-1 and LR36-CR2.2-1, comply with the requirements of Ind. Trial Rule 79 and Ind. Criminal Rule 2.2, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Jackson County Local Rules, LR36-TR79-1 and LR36-CR2.2-1, set forth as an attachment to this Order, are approved effective July 1, 2011, provided further that the rules shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Bruce MacTavish, Jackson Superior Court 2, 220 East Walnut Street, Brownstown, IN 47220; the Hon. Bruce Markel III, Jackson Superior Court 1, P.O. Box 788, Seymour, IN 47274-0788; the Hon. William E. Vance, Jackson Circuit Court, P.O. Box 315, Brownstown, IN 47220-0315; to the Clerk of the Jackson Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Jackson Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 1st day of July, 2011.



Randall T. Shepard
Chief Justice of Indiana

LR36-TR79 (H)-1 Special Judge Appointment in Civil Cases

In the event a special judge selected under Trial Rule 79, Sections (D) (E) or (F) does not accept the case or a judge disqualifies and recuses under Trial Rule 79(C), then the sitting judge in cases other than recusal or disqualification, and the clerk of the court in cases where there is a recusal or disqualification by the sitting judge, shall appoint on a rotating basis a special judge from the following list of presiding judges in the respective courts:

Jennings Circuit Court
Jennings Superior Court
Lawrence Circuit Court
Scott Circuit Court
Brown Circuit
Bartholomew Circuit Court
Bartholomew Superior Court #1
Bartholomew Superior Court #2

If the judge selected to serve is disqualified or is excused from service, then the sitting judge in cases other than recusal or disqualification, and the clerk of the court in cases where there is a recusal or disqualification by the sitting judge, shall appoint the next judge on the list. If no judge on the list is eligible to serve as special judge or the particular circumstances in the case so warrant, the then sitting judge in the case shall certify the matter to the Indiana Supreme Court for the appointment of a special judge pursuant to TR79(H)(3).

LR36-CR2.2-1 Criminal Case Reassignment

In any criminal proceeding in the Jackson Circuit or Superior Courts when a change of judge is granted, or it becomes necessary to assign another judge, the case shall be reassigned to a judge from a contiguous county. Each regular sitting judge shall maintain a list of all eligible special judges.